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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 11th meeting
Held at Headquarters, New York, on Friday, 24 June 2005, at 10 a.m.

Chairman: Mr. Hunte ..... (Saint Lucia)

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05-39766 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Question of Tokelau (A/AC.109/2005/3)

Hearing of the representative of the Non-Self-Governing Territory

2. *At the invitation of the Chairman, Mr. Pio Tuia (Ulu-o-Tokelau), titular head of the Territory, and Mr. Walter (New Zealand), Administrator of Tokelau, took a place at the Committee table.*

3. **Mr. Pio Tuia** (Ulu-o-Tokelau) said that the people of Tokelau were poised to exercise their right to self-determination and, more than ever, looked to the Special Committee, the wider international community and New Zealand for reassurance and support. In June 2004, Tokelau had first formally declared to the Special Committee and New Zealand that it was considering the possible option of self-government in free association. While the journey embarked upon since then had sometimes been arduous, it had been guided by the culture, traditions and customs specific to Tokelau's villages, whose autonomy was paramount. The villages knew best how to govern themselves and the nation would only intervene where necessary. The Constitution of Tokelau contained governing arrangements and administrative structures that reflected the nation's unique situation and the laws passed by the General Fono (the national representative body) had thus far enabled the Tokelau people to live a peaceful and harmonious life without the need for prisons or similar institutions.

4. The Principles of Partnership statement signed in 2003 was the foundation document that had begun to define the relationship between Tokelau and New Zealand and was a strong basis for a treaty of free association and for the economic support agreement signed in 2004.

5. He highlighted the major achievement over the past 12 months, which were consistent with the work schedule provided to the Committee the previous year. Tokelau's Council for Ongoing Government had visited New Zealand in November 2004 for high-level talks about the future relationship between Tokelau and New Zealand. The Council had also informed and consulted with the majority of the Tokelauan communities in New Zealand at that time, and had received strong support for Tokelau's path towards self-determination. There were approximately 7,000 Tokelauans living in New Zealand, as compared to 1,500 in Tokelau. Tokelau's role in the region would be strengthened by its application for observer status at the Pacific Islands Forum and associate membership in the South Pacific Applied Geoscience Commission. The General Fono had endorsed a draft Constitution in principle and had also agreed that officials from Tokelau and New Zealand should continue working on a treaty of free association. Once the draft was ready, the Council for Ongoing Government would begin consultations with the legal team at the end of June 2005 to agree upon the details to be referred to the villages, to discuss how the vote on self-determination would be managed and to decide on the dates for further consultations with the villages. The results of those consultations would be presented to the General Fono in August 2005 and a date for the act of self-determination might then be set. To some degree, that would depend upon Tokelau and New Zealand reaching a mutual agreement on the final text of a treaty of free association. While consultations with all three villages had been very positive and there was general support for an act of self-determination, the people were asking for further details about the treaty, including the annexes upon which the actual vote for the act would be based.

6. He welcomed the contribution of NZ$ 7.5 million by the Government of New Zealand to the Tokelau International Trust Fund and hoped that the international community would be just as generous. In that connection, he greatly appreciated the United Nations Development Programme offer to organize a donor round table to encourage contributions to the Fund. Finally, he also welcomed the extra and immediate assistance Tokelau had received in the aftermath of cyclone Percy.

7. **Mr. Mekdad** (Syrian Arab Republic) said that he highly appreciated the efforts of the Ulu-o-Tokelau, the Administrator of Tokelau and the Government of New Zealand in accelerating the process of self-determination. He also looked forward to the conclusion of the treaty of association.

8. **Mr. Requeijo Gual** (Cuba) welcomed a success story which had been possible thanks to the sincere cooperation of the Government of New Zealand and the efforts of the Special Committee. His delegation

hoped that the other administering Powers would follow the approach adopted by the Government of New Zealand.

9. **Mr. Okio** (Congo) said that by its handling of the self-determination process the Government of New Zealand had set an example of cooperation, which should serve as a model for the other administering Powers in their dealings with the Committee. Tokelau's experience showed that independence was not the only option in the decolonization process. He looked forward to the conclusion of the process of self-determination in Tokelau in the coming months.

10. **Mr. Pio Tuia** (Ulu-o-Tokelau), replying to a question from **Mr. Maleki** (Islamic Republic of Iran), said that the date for the self-determination exercise had yet to be determined, but some matters were still to be clarified in the treaty to be signed with New Zealand. Independence was not one of the options currently under consideration; the option presented would be self-government in free association with New Zealand.

11. **Mr. Walter** (New Zealand), Administrator of Tokelau, said that the past 12 months had seen an intensification of work on all fronts, including a series of regional and international meetings and an official visit by the Prime Minister of New Zealand to each of Tokelau's three atolls. Work had also proceeded on the draft constitution and draft treaty of free association. Steady progress had been made with the draft constitution, which had been approved in principle by the May 2005 General Fono. Agreement had also been reached on the main elements to be incorporated in a treaty and its supporting documents, for example, Tokelau's ongoing entitlement to New Zealand citizenship, economic support and administrative and technical assistance, support for the International Trust Fund and a programme to preserve its culture and language. At the same time, work was well advanced on legislative amendments that would be required in New Zealand to give effect to a decision by Tokelau to become self-governing. He shared the hope that the United Nations would dispatch a mission to Tokelau to witness the act of self-determination.

12. Tokelau faced the extreme challenges of smallness, isolation and lack of natural resources. It had shown that it was prepared to face up to them, but that it needed and deserved support from the international community. In February 2005, it had been hit by an intense tropical storm, a timely reminder of just how vulnerable it was. The UNDP office in Apia had been among the first to offer help. In recent years New Zealand had significantly raised the level of economic support provided to Tokelau. His Government hoped that Member States would assist in building the Tokelau International Trust Fund to a level where it would provide an independent source of revenue to future generations. To that end, UNDP would facilitate a donors' round-table meeting for the Trust Fund in New York following the act of self-determination.

13. The next few months would be a challenging and important time for Tokelau, and it would be looking to the United Nations and its Pacific neighbours for support and encouragement as it proceeded along the path to self-determination.

14. **Ms. Takaku** (Papua New Guinea) introduced draft resolution A/AC.109/2005/L.15 and expressed the hope that it would be adopted without a vote. Her Government looked forward to the day when the people of Tokelau would take a decision on their political future, and would assist as much as possible.

15. *Draft resolution A/AC.109/2005/L.15 was adopted.*

16. *Mr. Pio Tuia (Ulu-o-Tokelau) and Mr. Walter (New Zealand) withdrew.*

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and international institutions associated with the United Nations
(A/60/64, E/2005/47, A/AC.109/2005/L.13)

17. *At the invitation of the Chairman, Mr. Corbin (Chairman, Caribbean Development and Cooperation Committee of the United Nations (CDCC)), took a place at the Committee table.*

18. **Mr. Corbin** (Chairman, Caribbean Development and Cooperation Committee of the United Nations (CDCC)) said that 23 Caribbean Governments were represented on the Caribbean Cooperation and Development Committee (CDCC), a permanent subsidiary body of the Economic Commission for Latin America and the Caribbean (ECLAC). In 1990, it had established a working group of non-independent Caribbean countries to focus on development issues. It also provided a window of access for Non-Self-

Governing Territories to the wider United Nations system.

19. The Development Committee gave small island developing States a seat at the table in the discussion of development issues affecting them, and had allowed them to participate in the follow-up to the Barbados Programme of Action at the recent Mauritius conference. It offered full inclusion in its work programme to all its members regardless of their level of political development, as a means of furthering the process of capacity-building. It stood ready to cooperate in the implementation of the Programme of Action for the Second International Decade for the Eradication of Colonialism.

20. *Mr. Corbin withdrew.*

21. **The Chairman** introduced draft resolution A/AC.109/2005/L.13 and said that, if he heard no objection, he would take it that the Committee wished to adopt the draft resolution without a vote.

22. *It was so decided.*

23. **Mr. Sitnikov** (Russian Federation) said that the decision taken confirmed the position of his delegation. His delegation would work with the Fourth Committee and the General Assembly as it had done in the past, and would continue to be guided by its own position on the issue.

Programme of work

24. **The Chairman**, introducing draft resolution A/AC.109/2005/L.12, said that in the past the resolution had been submitted directly in the plenary of the General Assembly. As part of the reforms initiated during his presidency of the Assembly many issues had been given back to the Main Committees and subsidiary bodies. Beginning from the current session, therefore, such drafts would form part of the Committee's report to the Assembly. If he heard no objection, he would take it that the Committee wished to adopt the draft resolution without a vote.

25. *It was so decided.*

Midterm review (A/AC.109/2004/L.16)

26. **The Chairman** introduced draft resolution A/AC.109/2004/L.16 entitled "Second International Decade for the Eradication of Colonialism" and, referring to operative paragraph 5, made a proposal to remove the words "to continue" from the wording. If he heard no objection he would take it that the Committee wished to adopt the draft resolution, as orally amended, without a vote.

27. *It was so decided.*

Report of the Special Mission to Bermuda (A/AC.109/2005/CRP.2)

28. **The Chairman**, introducing the report of the United Nations Special Mission to Bermuda (A/AC.109/2005/CRP.2), which would be circulated the following week under the symbol A/AC.109/2005/19, suggested that a new paragraph should be inserted following paragraph 7, the text of which should read as follows:

> "The Special Mission would like to express its deep appreciation to the United Nations Development Programme (UNDP) for its representation on the mission to Bermuda, for its facilitation of the participation of experts to advise the Special Mission on governance and constitutional matters, and for its further contribution in assisting the BIC in acquiring relevant information on membership in international organizations including financial institutions and United Nations specialized agencies."

He drew attention to a number of editorial corrections to paragraphs 15, 17, 27, 28, 37 and 43, and said that in the Annex to the report, three lines from the bottom, the words "International Expert Group on Self-Determination" should be added in parentheses after the name "Walton Brown". If he heard no objection he would take it that the Committee wished to approve document A/AC.109/2005/CRP.2 as orally amended.

29. *It was so decided.*

Other matters

30. **The Chairman** drew attention to document A/60/69/Corr.1 and informed the Committee that the corrigendum was being made to correct the substance of information provided to the Secretary-General by France under Article 73 *e* of the Charter. If he heard no objection, he would take it that the Committee wished to take note of the corrigendum.

31. *It was so decided.*

32. After the usual exchange of courtesies the Chairman declared closed the 2005 substantive session of the Special Committee.

The meeting rose at 12:20 p.m.